

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC.,
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

THIS DOCUMENT RELATES TO THE CIVIL ACTION NOS. LISTED ON THE ATTACHED EXHIBITS:

**JOINT MOTION TO DISMISS DEFENDANT
AMERICAN MEDICAL SYSTEMS, INC. WITH PREJUDICE**

Plaintiffs in the cases listed on the attached Exhibits A-B and defendant American Medical Systems, Inc. ("AMS") advise the Court that they have compromised and settled all claims between them in these actions, including all counterclaims, cross-claims and third party claims. Accordingly, Plaintiffs and AMS jointly move the court to dismiss AMS as a defendant in these actions with prejudice, and terminate AMS from the docket in these actions, parties to bear their own costs. Other defendants remain in these actions, and plaintiffs will continue to pursue these actions against them.

Respectfully:

/s/ Barbara R. Binis
Barbara Binis
REED SMITH
Three Logan Square, Suite 3100
1717 Arch Street
Philadelphia, PA 19103
215.851.8100 (phone)
215.851.1420 (fax)
bbinis@reedsmith.com

/s/ Erik W. Legg
Erik W. Legg
FARRELL WHITE & LEGG
P. O. Box 6457
Huntington, WV 25772-6457
304.522.9100 (phone)
304.522.9162 (fax)
EWL@farrell3.com

Attorneys for Defendant American Medical Systems, Inc.

/s/ Ellen A. Presby

Ellen A. Presby
NEMEROFF LAW FIRM
Suite 450
2626 Cole Avenue
Dallas, TX 75204
214.774.2258 (phone)
214.393.7897 (fax)
ellenpresby@nemerofflaw.com
Attorney for Plaintiffs on Exhibit A

/s/ Derek H. Potts

Derek H. Potts
THE POTTS LAW FIRM
Suite 350
100 Waugh Drive
Houston, TX 77007
713.963.8881 (phone)
713.583.5388 (fax)
Email: dpotts@potts-law.com
Attorney for Plaintiffs on Exhibit B

Dated: December 20, 2016

EXHIBIT A – NEMEROFF LAW FIRM

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:14-CV-25952	Betty J. Andrews, Robert Andrews v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc., Coloplast Corp.

EXHIBIT B – THE POTTS LAW FIRM

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:14-CV-03794	Ruth Callaway, Lawrence Callaway v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.
2:14-CV-08171	Sabrina Lockhart v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on December 20, 2016, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in these member cases.

/s/ Barbara R. Binis
Barbara R. Binis